

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN**

In re:

James R. Swaney, Jr.

Case No.: 19-20464 BEH
Chapter 13

Debtor(s).

NOTICE AND REQUEST TO AMEND UNCONFIRMED CHAPTER 13 PLAN

James R. Swaney, Jr. filed papers with the Court requesting amendment of the unconfirmed Chapter 13 Plan in the above case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to confirm the amended plan as proposed, or if you want the Court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the Court a written request for hearing that contains a short and plain statement of the factual and legal basis for the objection. File your written request electronically or mail it to:

Clerk of Bankruptcy Court
517 E. Wisconsin Avenue
Room 126
Milwaukee, WI 53202-4581

If you mail your request to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the expiration of 21 days.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the request and enter an order confirming the amended Chapter 13 plan.

Attorney Jennifer L. Riemer
Thorpe & Christian, SC
1624 Hobbs Drive, Suite 1
Delavan, WI 53115
Telephone: 262 740 1971
Facsimile: 262 740 1090
jriemer@thorpechristian.com

REQUEST TO AMEND UNCONFIRMED CHAPTER 13 PLAN

1. This request to amend an unconfirmed Chapter 13 Plan **SUPERSEDES ALL PRIOR REQUESTS TO AMEND THE PLAN AND INCLUDES ALL PROPOSED AMENDMENTS. TERMS NOT FULLY STATED HERE OR IN THE ORIGINAL PLAN ARE NOT PART OF THE PLAN.**
2. Service. A certificate of service must be filed with the amendment. Designate one of the following:

 X A copy of this proposed amendment has been served on the trustee, United States trustee and all creditors, or

 _____ A motion requesting limited service is being filed simultaneously with the Court.
3. The Chapter 13 Plan filed with the Court is amended as follows:
 - a). Plan payments shall be \$1,516.27 per month.
 - b). Debtor Payroll deductions shall be \$ 379.07 weekly.
 - c). The Trustee shall pay the supplemental claim for post-petition mortgage arrears to Freedom Mortgage Corporation in the amount of \$7,458.20.
 - d). The secured claims of Landmark Credit Union secured by the 2016 Polaris Snowmobile and by the 2016 Yamaha Snowmobile shall be paid pro rata plus interest at the rate of 7.50%.

All remaining terms of the original Chapter 13 Plan are unaffected. In the event of a conflict between the terms of the original Plan and the terms of this amendment, the terms of this amendment control.

WHEREFORE, each Debtor requests that the Court approve this proposed amendment to the original Chapter 13 Plan.

CERTIFICATION

The Debtor's attorney must sign this certification. A Debtor represented by an attorney may sign this certification. If the Debtor does not have an attorney, the Debtor must sign this certification.

The provisions in this Chapter 13 plan are identical to those contained in the official local form other than the changes listed in part 3.

I certify under penalty of perjury that the foregoing is true and correct.

Respectfully submitted this 19th day of March, 2020.

James R. Swaney, Jr.
Debtor

Jennifer L. Riemer SBN 1030765
Attorney for Debtor
Thorpe & Christian, SC
1624 Hobbs Drive, Suite 1
Delavan, WI 53115
262 740 1971
jriemer@thorpechristian.com

**U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN**

In re:
JAMES R. SWANEY, JR.

Case No.: 19-20464-BEH

Debtor.

Chapter 13

CERTIFICATE OF SERVICE

On March 23, 2020, I, Michelle Lynch, served a copy of the NOTICE AND REQUEST TO AMEND UNCONFIRMED PLAN on the following persons in the following manner:

1. Deposited for delivery by the United States Postal Service, via First Class United States Mail, postage prepaid, to the parties:

 X (A) listed on the most current mailing matrix, a copy of which is attached to this certificate as Attachment A.

 (B) listed on Attachment B. [If you choose this option, you must insert the name of each person/entity served, position of person (if applicable) and full mailing address]. n/a

2. By certified mail addressed to the entities listed on Attachment C. [If you choose this option, you must include the name of the officer of each entity served, full name of the entity, and full mailing address]. n/a

3. Other service method: [insert relevant details of service]. n/a

I certify under penalty of perjury that the foregoing is true and correct.

Executed on: 3/23/2020

Michelle Lynch
Michelle Lynch
Thorpe & Christian, SC
1624 Hobbs Drive, Suite 1
Delavan, WI 53115

* If making a request for the court to determine the amount of a secured claim (11 U.S.C. §506) or avoid the fixing of a lien on exempt property (11 U.S.C. §522(f)) in a chapter 13 plan, the plan must be served in the manner provided for by Fed. R. Bankr. P. 7004. *See* Fed. R. Bankr. P. 3012(b), 4003(d), 7004(b)(3) (service upon a domestic or foreign corporation, partnership, or other unincorporated association), 7004(h) (service by certified mail on an insured depository institution).** It is not necessary to certify that participants in the Court's Electronic Noticing System were served electronically with the documents by the ECF/PACER system.

ATTACHMENT A
Freedom Mortgage Corporation
10500 Kincaid Blvd
Fisher, IN 46037-9764

Landmark Credit Union
c/o Mark C. Darnieder
Darnieder & Sosnay
735 N. Water St., Suite 930
Milwaukee, WI 53202-4105

Label Matrix for local noticing
0757-2
Case 19-20464-beh
Eastern District of Wisconsin
Milwaukee
Thu Mar 19 11:50:45 CDT 2020

Americollect
P.O. Box 1505
Manitowoc, WI 54221-1505

Centurion Capital Corp.
700 King Farm Blvd #507
Rockville, MD 20850-5736

Check Into Cash
1432 E. Geneva Street
Delavan, WI 53115-2025

Check N Go
1833 Geneva St. Suite C
Delavan, WI 53115

Childrens Hospital
PO Box 1997
Milwaukee, WI 53201-1997

Credit One Bank
PO Box 60500
City of Industry, CA 91716-0500

FNB Omaha
PO box 2557
Omaha, NE 68103-2557

(p)FIRST COMMUNITY CREDIT UNION
1702 PARK AVENUE
ATTN BOBBIE ENNOCENTI
BELOIT WI 53511-3549

(p)PERI GARITE
ATTN CARD WORKS
101 CROSSWAYS PARK DR W
WOODBURY NY 11797-2020

Fox Community Credit Union
1702 Park Avenue
Beloit, WI 53511-3536

Freedom Mortgage
907 Pleasant Valley Ave. Ste 3
Mount Laurel, NJ 08054-1210

Freedom Mortgage Corporation
10500 Kincaid Drive
Fishers, IN 46037-9764

James Swaney Sr.
236 Walworth St.
Sharon, WI 53585-9509

LVNV Funding, LLC
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

(p)LANDMARK CREDIT UNION
P O BOX 510870
NEW BERLIN WI 53151-0870

Marlyne Hennig
903 Eastown Manor
Elkhorn, WI 53121-2123

Mercy Health System
1000 Mineral Point Avenue
Janesville, WI 53548-2940

Net Credit Financial
175 W. Jackson Blvd. Ste. 1000
Chicago, IL 60604-2863

Office of the U. S. Trustee
517 East Wisconsin Ave.
Room 430
Milwaukee, WI 53202-4510

Palisades Acquisitions XVI
c/o Daubert Law Firm, LLC
P.O. Box 1519
Minneapolis, MN 55440-1519

State Collection Service
P.O. box 6250
Madison, WI 53716-0250

Walworth Co Clerk of Courts
PO Box 1001
Elkhorn, WI 53121-1001

World Finance Corporation
P.O. Box 6429
Greenville, SC 29606-6429

James R Swaney Jr.
112 Church St.
Sharon, WI 53585-9779

Jennifer L. Riemer
Thorpe & Christian, S.C.
1624 Hobbs Drive, Suite 1
Delavan, WI 53115-2000

Scott Lieske
Chapter 13 Trustee
P.O. Box 510920
Milwaukee, WI 53203-0161

Charles A. Grnic
Klatt Law Office
925 E. 4th St.
Waterloo, IA 50703

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

First Community Credit Union
P.O. Box 978
Beloit, WI 53512

First National Bank of Omaha
1620 Dodge Street, Stop code 3105
Omaha, NE 68197

Landmark Credit Union
PO Box 510870
New Berlin, WI 53151

End of Label Matrix
Mailable recipients 28
Bypassed recipients 0
Total 28

James A. Hiller
Hiller Law Office
6815 W. Capitol Drive Ste. 214
Milwaukee, WI 53216